

2016. Hunton’s Reply in Support of its Motion for Judgment on the Pleadings On Claims by Non-Clients (“Reply”) [ECF 217]. Since briefing was completed, Hunton has filed two opposed motions seeking leave to file notices of supplemental authority as to *Farkas v. Wells Fargo Bank, N.A.*, No. 03-14-00716-CV, 2016 WL 7187476 (Tex. App.—Austin, Dec. 8, 2016, no pet. h.) [ECF 221] and *LJH, LTD v. Jaffe*, No. 4:15-cv-00639-ALM, 2017 WL 447572 (E.D. Tex. Feb 2, 2017) [ECF 223].

2. In their Opposition, Plaintiffs cited *Santiago v. Mackie Wolf Zientz & Mann, P.C.*, No. 05-13-00020-CV, 2014 WL 4072131 (Tex. App.—Dallas, Aug. 19, 2014, pet. denied) (“*Santiago I*”), for the proposition that attorney immunity does not apply outside of the litigation context. Opp. 4.

3. As discussed more fully in the attached proposed notice, the Texas Appellate Court in Dallas recently decided *Santiago II*, which effectively overrules *Santiago I* and confirms that immunity applies outside the litigation context.

4. On April 12, 2017, one of Hunton’s attorneys, Jeffrey D. Colman, telephoned Plaintiffs’ counsel, Edward Snyder, to ask if Plaintiffs would consent to the relief sought in this motion. Also on April 12, 2017, Mr. Snyder emailed Mr. Colman and informed him that Plaintiffs oppose this motion.

5. WHEREFORE, Hunton respectfully requests that the Court enter an order granting Hunton leave to file the attached short notice of supplemental authority in support of its Motion for Judgment on the Pleadings on Claims by Non-Clients, to address the March 10, 2017 Texas appellate court decision in *Santiago II*.

Dated: April 19, 2017

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

I, Jeffrey D. Colman, hereby certify that on April 12, 2017, I telephoned Edward Snyder, counsel for Plaintiffs, regarding the relief requested in the foregoing motion. In a return email on April 12, 2017, Mr. Snyder indicated that Plaintiffs oppose Hunton's motion.

/s/ Jeffrey D. Colman
JEFFREY D. COLMAN

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2017, I electronically filed the foregoing **Hunton & Williams LLP's Motion for Leave to File Notice of Supplemental Authority in Support of Motion for Judgment on the Pleadings** with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this notice as service of this document by electronic means.

s/ Jeffrey D. Colman
JEFFREY D. COLMAN